

01  
02  
03  
04  
05  
06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 DONALD WRIGHT, ) CASE NO. C09-0161-JCC-MAT  
09 )  
Petitioner, )  
10 )  
v. ) ORDER DENYING REQUEST FOR  
11 ) APPOINTMENT OF COUNSEL  
MAGGIE MILLER-STOUT, )  
12 )  
Respondent. )  
13 \_\_\_\_\_ )

14 Having considered petitioner's motion for appointment of counsel (Dkt. 9), the Court  
15 hereby ORDERS:

16 (1) Petitioner's motion for appointment of counsel is DENIED. There is no right  
17 to have counsel appointed in cases brought under 28 U.S.C. § 2254 unless an evidentiary  
18 hearing is required. *See Terravona v. Kincheloe*, 852 F.2d 424, 429 (9th Cir. 1988); *Brown v.*  
19 *Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992); and Rule 8(c) of the Rules Governing Section  
20 2254 Cases in the United States District Courts. The Court may exercise its discretion to  
21 appoint counsel for a financially eligible individual where the "interests of justice so require."  
22 18 U.S.C. § 3006A. Here, petitioner fails to demonstrate that the interests of justice are best

ORDER DENYING REQUEST FOR  
APPOINTMENT OF COUNSEL

served by appointment of counsel at the present time.

(2) The Clerk is directed to send a copy of this Order to the parties and to the Honorable John C. Coughenour.

DATED this 9th day of April, 2009.

s/ Mary Alice Theiler  
United States Magistrate Judge